



King County
Human Resources Management Division
Department of Executive Services
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Human Resources Bulletin

January 5, 2005

05-LER-01

SUBJECT:

Emergency Closure, Designation of First Responders and Mission Critical Employees

The following information supersedes HR Bulletins 03-LER-02 and 03-LER02a.

A. Continuity of business:

- Each department, division and/or agency shall address within its emergency response plan the continuity of operations in the event of a facility closure resulting from natural disaster, inclement weather, technological failure, hazardous materials release, act of war or terrorism, or other significant event where public and employee safety is of concern.
- Departments, divisions and other agencies should, to the extent possible, designate one or more alternative work sites should the primary worksite become inaccessible for any reason, and employees should be notified of the location(s) of such alternative work site(s).
- All agencies are encouraged to adopt procedures for communicating with employees at home and at work in case of an emergency or disaster situation that alters routine county operations.

B. Designation of first responders and mission critical employees:

Agency emergency plans must designate those employees and/or positions that are deemed essential for initial response to an emergency, and those critical to re-establishing provision of services in the event of an emergency. These designations will vary according to the nature of the emergency and should be outlined in the agency's emergency response plans. Further, it is understood that the determination of whether or not an employee is mission critical may change as circumstances of an emergency situation evolve in the hours, days or weeks following a critical incident. However, nothing in this policy shall restrict a department or division director or agency administrator from deploying his or her workforce as he or she deems appropriate to meet public needs during an emergency or critical incident. Furthermore, according to the provisions of the agency's emergency response plans, the authority to determine which employees are mission critical can be delegated through the incident command

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system to the agency's designated incident commander.

C. Closure of county facilities:

- Administrative offices and county operations will remain open during emergency situations that do not pose an immediate life, health, or safety risk to its occupants unless directed otherwise by the Executive or the respective department director. Department directors should make every reasonable effort to contact the Executive or Assistant County Executive prior to closing a department, facility or office.
- Evacuation or lockdown of county owned or leased facilities in the downtown core shall be conducted as necessary by the Department of Executive Services, Facilities Management Division. However, closures or evacuations of county facilities, other than for immediate life, health or safety issues, must be authorized by the Executive, his/her designee, or the respective department director if unable to contact the Executive's office.
- Evacuation and/or closure of offices and facilities in leased buildings, where management of such buildings is by other than King County, shall be conducted as required by the building or facility owner or director. If such evacuation or closure occurs, the responsible department or division director may direct employees to an alternative worksite as appropriate.

D. Pay for employees in case of facility closure:

1. If a facility is closed by order of the Executive, regular, provisional, probationary and term limited temporary employees scheduled to work will be paid their normal pay until such time as the facility is reopened, alternative worksites are arranged, or a reduction in force is implemented. If the shutdown extends for more than one week, the status of displaced workers may be reviewed by the Executive to determine whether a reduction in force due to either lack of funds or lack of work is in order. This applies to affected FLSA exempt as well as FLSA non-exempt. Only hours actually worked will be used to determine overtime eligibility for the week.
- Employees who prior to a facility closure have previously requested and have been approved for time off (e.g., vacation, sick leave, compensatory time off, executive leave, leave of absence) will have hours deducted from their accruals as approved in accordance with established policies for their use.
 - Temporary (other than provisional, probationary and term limited temporary), administrative interns, and non-regular part time employees will be paid only for hours actually worked during a facility closure.
 - Employees designated as first responders and mission critical employees who are unable to report to work will have their time charged to vacation, compensatory time (FLSA non-exempt), executive leave (FLSA exempt) or leave without pay unless the

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department director or designee determines that regular pay is warranted and waives the charging of the time missed.

- If the facility closes after the start of an employee's shift, employees who are scheduled to report to work but do not report to work and do not contact the appointing authority or designee prior to a facility closure are considered to have been absent without leave authorization and will be subject to leave without pay for the full day. However, the appointing authority may at his or her discretion authorize the use of vacation, compensatory time or executive leave for the absence as individual circumstances warrant.
2. When a department or division director or agency administrator closes operations in his or her agency during the work day or orders employees to leave the premises because of safety concerns, employees (regular, provisional, probationary and term limited temporary) scheduled to work will be paid for the normally scheduled work day.
 3. Continued closure of a facility outside the downtown core beyond the first day (or partial day) as described above must be approved by the Executive; otherwise, the facility will be deemed open.

E. Pay for employees where facilities remain open for business:

Where a department, office or facility remains open but conditions prevent an employee from reporting to work:

- The employee will notify his or her supervisor as soon as possible.
- The employee may request, and the supervisor may approve, the use of compensatory time, executive leave, vacation time, or leave without pay to cover absences resulting from a county emergency, critical incident, or inclement weather. Sick leave may not be used in such instances except where appropriate under sick leave provisions of the King County Code, the Personnel Guidelines and respective collective bargaining agreements.